

Jun 25, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOHNNY L. D.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:18-CV-3215-FVS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand pursuant to sentence four of 42 U.S.C. §405(g). ECF No. 17. The Plaintiff is represented by Attorney D. James Tree. The Defendant is represented by Special Assistant United States Attorney Leisa A. Wolf.

After consideration, **IT IS HEREBY ORDERED** that the Stipulated Motion for Remand, ECF No. 17, is **GRANTED**. The Commissioner's final decision is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand to the Commissioner of Social Security, the Appeals Council should remand this case to the Administrative Law Judge

1 (ALJ) for a de novo hearing, if necessary. On remand, the ALJ will update the
2 medical records; reevaluate Plaintiff's impairments at step two, in particular
3 bipolar disorder and carpal tunnel syndrome; reevaluate the medical opinion
4 evidence as a whole; reevaluate Plaintiff's residual functional capacity; if
5 necessary, obtain supplemental vocational expert evidence to clarify the effects of
6 the assessed limitations on Plaintiff's ability to perform past relevant work or other
7 work in the national economy; and issue a new decision.

8 The parties stipulate that this case be reversed and remanded to the ALJ on
9 the above grounds pursuant to sentence four of 42 U.S.C. § 405(g). Therefore, the
10 matter is remanded to the Commissioner for additional proceedings pursuant to
11 sentence four 42 U.S.C. 405(g). Upon proper presentation, this Court will consider
12 Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d).

13 It is **FURTHER ORDERED** that Plaintiff's Motion for Summary
14 Judgment, ECF No. 12, is **DENIED** as moot, given the parties' motion for remand.

15 The District Court Executive is hereby directed to enter this Order and provide
16 copies to counsel, enter judgment in favor of the Plaintiff, and **CLOSE** the file.

17 **DATED** June 25, 2019.

18 s/ Rosanna Malouf Peterson
19 ROSANNA MALOUF PETERSON
20 United States District Judge
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